



**City of Seattle**  
Edward B. Murray, Mayor

**Department of Planning and Development**  
D. M. Sugimura, Director

**CITY OF SEATTLE  
ANALYSIS AND DECISION OF THE DIRECTOR  
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

**Application Number:** 3018902  
**Applicant Name:** Amber French  
**Address of Proposal:** 4351 15<sup>th</sup> Avenue South

**SUMMARY OF PROPOSED ACTION**

Land Use Application to allow a four-story building containing 6,286 sq. ft. of retail at ground level and 39 units above. Parking for 34 vehicles to be provided at and below grade. Existing structure to be demolished. Design review was conducted under Project #3008621.

The following approval is required:

**SEPA – Environmental Threshold Determination** (SMC Chapter 25.05)

**SEPA DETERMINATION:** ☐ Exempt ☒ DNS ☐ MDNS ☐ EIS  
☐ DNS with conditions  
☐ DNS involving non-exempt grading, or demolition,  
or involving another agency with jurisdiction.

**BACKGROUND INFORMATION**

**Location:** The subject site is located on the northwest corner of the intersection of 15<sup>th</sup> Avenue S, S Columbian Way, and S Oregon Street in the Beacon Hill neighborhood.



**Zoning:** The site is zoned NC1-40 (Neighborhood Commercial, as are the properties approximately 200 feet to the north, east, and south. Across the alley to the west, zoning changes to Single Family 5000.

**Parcel size:** 14,400 square feet.

**Environmental Critical Areas:** None.

**Existing Conditions:** The north side of site is occupied by a vacant single story brick façade structure, built in 1946; the remainder of the site is surface parking. The site is relatively flat, rising 6 feet in elevation from northwest to southeast. South Columbian Way is a principal arterial; 15<sup>th</sup> Avenue S is a minor arterial, and S Oregon Street is a residential access street.

**Public Comment:** The public comment period ended on 2/25/2015. DPD received no comment letters.

### **ANALYSIS – SEPA**

Environmental review resulting in a Threshold Determination is required pursuant to the Seattle State Environmental Policy Act (SEPA), WAC 197-11, and the Seattle SEPA Ordinance (Seattle Municipal Code Chapter 25.05).

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant on October 29, 2015. The Department of Planning and Development has analyzed and annotated the environmental checklist submitted by the project applicant; reviewed the project plans and any additional information in the file and any pertinent comments which may have been received regarding this proposed action have been considered. The information in the checklist, the supplemental information, and the experience of the lead agency with the review of similar projects form the basis for this analysis and decision. As indicated in the checklist, this action may result in adverse impacts to the environment. However, due to their temporary nature and limited effects, the impacts are not expected to be significant.

The SEPA Overview Policy (SMC 25.05.665) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, and certain neighborhood plans and other policies explicitly referenced, may serve as the basis for exercising substantive SEPA authority. The SEPA Overview Policy (SMC 25.05.665) states, in part, “*Where City regulations have been adopted to address and environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation*” subject to some limitations. Under such limitations or circumstances (SMC 25.05.665 D) mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

### Short-term Impacts

The following temporary or construction-related activities could result in the following adverse impacts: construction dust and storm water runoff, erosion, emissions from construction machinery and vehicles, increased particulate levels, increased noise levels, occasional disruption of adjacent vehicular and pedestrian traffic, a small increase in traffic and parking impacts due to construction related vehicles, and increases in greenhouse gas emissions. Several construction-related impacts are mitigated by existing City codes and ordinances applicable to the project such as: the Stormwater Code (SMC 22.800-808), the Grading Code (SMC 22.170), the Street Use Ordinance (SMC Title 15), the Seattle Building Code, and the Noise Control Ordinance (SMC 25.08). Puget Sound Clean Air Agency regulations require control of fugitive dust to protect air quality.

### *Air Quality*

Construction is expected to temporarily add particulates to the air and will result in a slight increase in auto-generated air contaminants from construction activities, equipment and worker vehicles, however, this increase is not anticipated to be significant. Federal auto emission controls are the primary means of mitigating air quality impacts from motor vehicles as stated in the SEPA Air Quality Policy (SMC 25.05.675). No further mitigation is warranted pursuant to SEPA policies.

Should asbestos be identified on the site, it must be removed in accordance with the Puget Sound Clean Air Agency (PSCAA) and City requirements. PSCAA regulations require control of fugitive dust to protect air quality and require permits for removal of asbestos during demolition. No further mitigation is warranted pursuant to SEPA policies.

### *Greenhouse Gas Emissions*

Construction activities including construction worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacture of the construction materials themselves result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant. No further mitigation is warranted pursuant to SEPA policies.

### *Traffic and Parking*

Duration of construction of the project may last approximately 9 months. During construction, parking demand will increase due to additional demand created by construction personnel and equipment. It is the City's policy to minimize or prevent adverse traffic impacts which would undermine the stability, safety, and/or character of a neighborhood or surrounding areas (25.05.675). The Street Use Ordinance includes regulations which mitigate dust, mud, and circulation. Any temporary closure of the sidewalk and/or traffic lane(s) is adequately controlled with a street use permit through the Seattle Department of Transportation (SDOT). No further mitigation is warranted pursuant to SEPA policies.

### *Earth*

Approximately 2,566 cubic yards of grading is proposed with this project. The Storm water, Grading and Drainage Control Code requires preparation of a soils report to evaluate the site conditions and provide recommendations for safe construction on sites where grading will involve cuts or fills of greater than three feet in height or grading greater than 100 cubic yards of material.

A geotechnical engineering investigation and report was prepared by Krazan and Associates, Inc., dated Oct. 24, 2007, and submitted for review by the City. The report offers conclusions and recommendations pertaining to a number of site deconstruction and construction activities, including site preparation, excavation, structural fill, utility trench backfill, drainage and landscaping, and erosion control.

The soils report, construction plans, and shoring of excavations as needed, will be reviewed by the DPD Geo-technical Engineer and Building Plans Examiner who will require any additional soils-related information, recommendations, declarations, covenants and bonds as necessary to assure safe grading and excavation. The Stormwater Code provides extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques are used. Therefore no additional conditioning is warranted pursuant to SEPA policies.

### *Height, Bulk and Scale*

The project went through a Design Review process with Master Use Permit 3008621, which addressed the issue of Height, Bulk & Scale.

Pursuant to SEPA Policy 25.05.675.G.2.c: Height, Bulk and Scale, “the Citywide Design Guidelines (and any Council-approved, neighborhood Design Guidelines) are intended to mitigate the same adverse height, bulk and scale impacts addressed in these policies. A project that is approved pursuant to the Design Review process is presumed to comply with the height, bulk and scale policies. This presumption may be rebutted only by clear and convincing evidence that height, bulk and scale impacts documented through environmental review have not been adequately mitigated. Any additional mitigation imposed by the decision maker pursuant to these height, bulk and scale policies that have undergone design review shall comply with the design guidelines applicable to the project.”

Master Use Permit 3008621 included several conditions that were warranted to mitigate the height, bulk, and scale of the proposed development. No further conditions are required.

### *Construction Noise*

The project is expected to generate loud noise during demolition, grading and construction, which could adversely affect the surrounding residential uses in the area. Compliance with the Noise Ordinance is required, which limits loud noises generated by construction activities within 100’ of occupied multifamily and neighborhood commercial zones to non-holiday weekdays from 7:00 a.m. to 7:00 p.m. and 9:00 a.m. to

7:00 p.m. on weekends and holidays. Impact construction work (pile driving, jackhammers, vector trucks, etc.) is further limited (8:00 a.m. – 5:00 p.m. weekdays and 9:00 a.m. – 5:00 p.m. weekends and holidays). The Noise Ordinance is found to be adequate to mitigate the potential noise impacts. Accordingly, no further mitigation is warranted pursuant to SEPA policies.

#### Long-term Impacts

Long-term or use-related impacts are also anticipated as a result of approval of this proposal including: increased bulk and scale on the site; increased public demand for public services and utilities; increased energy consumption; minor increase in light and glare; and increased traffic and parking demand. Compliance with applicable codes and ordinances will reduce or eliminate most adverse long-term impacts to the environment. However, greenhouse gas emissions, historic preservation, and parking and traffic impacts warrant further analysis.

#### *Greenhouse Gas Emissions*

Operational activities, primarily vehicular trips associated with the project construction and the project's energy consumption, are expected to result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant, therefore, no further mitigation is warranted.

#### *Historic Preservation*

The project includes demolition of a structure built in 1946. A landmark resources survey was completed for the existing structure and submitted to the Department of Neighborhoods Landmarks coordinator for review under Project #3008621. The Department of Neighborhoods staff determined that due in part to the loss of integrity of the building over time, the structure is unlikely to meet any landmarks criteria and no impacts to historic resources due to demolition of the buildings would occur. No additional review or mitigation is warranted based on the City's SEPA Historic Preservation Policy.

#### *Parking and Traffic*

The applicant submitted a traffic analysis (TrafficEx, *Beacon Hill Mixed Use Project – DPD Project #6164623: Trip Generation and Distribution Analysis & Driveway Analysis, July 10, 2008*). The study estimates indicate that the proposed project would generate approximately 300 new off-site trips per weekday, with 11 trips during the AM peak hour and 23 trips during the PM peak hour.

The applicant submitted a parking demand analysis (TrafficEx, *Beacon Hill Mixed Use Project – Parking Demand Analysis, October 20, 2014*). The project proposes one parking lot on grade and one parking level below grade, with 27 stalls for residential use and 7 stalls for retail use. The study demonstrates that the parking supply provided by the project is expected to meet the generated parking demand.

In consultation with DPD's Transportation Planner it was determined that the development application will not seriously affect operations of the nearby intersections nor affect available parking capacity in the surrounding vicinity, therefore no further SEPA mitigation of parking or traffic impacts is warranted.

### **DECISION – SEPA**

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

- ☒ Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21.030(2) (c).
- ☐ Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030(2)(C).

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030 (2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

This DNS is issued after using the Optional DNS process in WAC 197-11-355 and Early review DNS process in SMC 25.05.355. There is no further comment period on the DNS.

### **CONDITIONS -- SEPA**

None.

Signature: Betty Galarosa for Date: April 13, 2015  
Katy Haima, Land Use Planner  
Department of Planning and Development

KH:bg

## IMPORTANT INFORMATION FOR ISSUANCE OF YOUR MASTER USE PERMIT

### Master Use Permit Expiration and Issuance

The appealable land use decision on your Master Use Permit (MUP) application has now been published. At the conclusion of the appeal period, your permit will be considered “approved for issuance”. (If your decision is appealed, your permit will be considered “approved for issuance” on the fourth day following the City Hearing Examiner’s decision.) Projects requiring a Council land use action shall be considered “approved for issuance” following the Council’s decision.

The “approved for issuance” date marks the beginning of the **three year life** of the MUP approval, whether or not there are outstanding corrections to be made or pre-issuance conditions to be met. The permit must be issued by DPD within that three years or it will expire and be cancelled. (SMC 23-76-028) (Projects with a shoreline component have a **two year life**. Additional information regarding the effective date of shoreline permits may be found at 23.60.074.)

All outstanding corrections must be made, any pre-issuance conditions met and all outstanding fees paid before the permit is issued. You will be notified when your permit has issued.

Questions regarding the issuance and expiration of your permit may be addressed to the Public Resource Center at [prc@seattle.gov](mailto:prc@seattle.gov) or to our message line at 206-684-8467.